



Christa Dean/STB  
02/21/2006 01:30 PM

To gblanc@spi-ind.com  
cc Rini Ghosh/STB@STB, Vicki Rutson/STB@STB, Richard  
Armstrong/STB@STB, Matthew Bornstein/STB@STB  
bcc  
Subject Fw: Abandonment Exemption Sierra Pacific Industries  
Continuance Sierra [STB Docket No. AB-512X]

By decision and Notice of Interim Trails Use (NITU) served on February 25, 2005, the Board granted an exemption for Sierra Pacific Industries (SPI) to abandon a 12-mile line of railroad subject to certain environmental conditions. One condition imposed in the Board's decision required SPI to retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are 50 years or older until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

On February 16, 2006, SPI filed a consummation notice. However, there is still an outstanding 106 condition in this matter and as we have discussed, no railroad may consummate an abandonment while an unresolved Section 106 condition remains imposed on the abandonment. On Friday, February 17, 2006, I faxed a sample letter that demonstrates a withdrawal of a consummation notice.

Attached for your review is the February 16, 2005 e-mail regarding the need for a survey in STB Docket No. AB-512X. In a February 18, 2005 phone call, I notified Mr. Scott Zimmerman at Zuckert Scoutt & Rasenberger, L.L.P. that the State Historic Preservation Office (SHPO) had requested a survey. I also explained that SPI could not file a consummation notice or initiate salvage activities until the Section 106 historic preservation process has been completed and the Board has removed this condition.

Pursuant to the Advisory Council on Historic Preservation's regulations for implementing the Section 106 process of the National Historic Preservation Act at 36 CFR 800, consultation with the SHPO is required to: identify potential historic properties, determine whether historic properties might be adversely affected by the abandonment, and, if so, consider appropriate mitigation.

If you have any questions, please contact me at (202) 565-1606.

Thank you,  
Christa Dean

Christa L. Dean, Attorney  
Surface Transportation Board  
Section of Environmental Analysis  
202.565.1606

----- Forwarded by Christa Dean/STB on 02/21/2006 10:24 AM -----



"Kelly Hobbs"  
<khobb@ohp.parks.ca.gov>  
02/16/2005 02:12 PM

To <deanc@stb.dot.gov>  
cc  
Subject FW: Abandonment Exemption Sierra Pacific Industries  
Continuance Sierra

Christa,

I have reviewed the documentation for the Sierra Pacific Abandonment and Sierra Pine Discontinuance Exemptions (STB041026A). It appears from the information provided that the properties have not been formally recorded or evaluated. Survey by a qualified archaeological historical resources consultant is required prior to commencement the abandonment. This guidance is based on the response of the Amador County Archives. Please contact the North Central Information Center for additional information regarding cultural resource surveys and whether inventories of the subject resource have occurred. If this has been done please provide us with a copy of the letter. The center's contact information is provided below, and upon request, they can also provide a listing of qualified cultural consultants in their area that can do the survey.

Dr. Lee Simpson  
Attn: Mr. David McCullough  
North Central Information Center  
California State University, Sacramento  
6000 J Street, Adams Building, Suite  
#103  
Sacramento, CA 95819-6100

(916) 278-6217  
Fax (916) 278-5162  
ncic@csus.edu  
Amador, El Dorado, Nevada,  
Placer, Sacramento, Yuba

We look forward to providing additional comments and if you have additional questions please call me at the number below.

Thank you

Kelly Hobbs  
916-653-8936

PS There is a wealth of information about the California SHPO's Section 106 consultation process available on our website <http://ohp.parks.ca.gov/> including contact info for the archaeological information centers across the state as well as instructions for consultation and other services that we provide.